

# City Commission Workshop Meeting Minutes

August 11, 2021

(APPROVED)

8/11/2021 - Minutes

## 1. CALL TO ORDER & ROLL CALL

**Commissioners Present:** Terrye Howell, Robin Gibson, Daniel Williams

**Commissioners Absent:** Mayor Eugene Fultz,

Also Present was Interim Commissioner-Elect Jack Hilligoss

**Staff Present:** James Slaton, City Manager; Jennifer Nanek, City Clerk; Albert Galloway, Jr., City Attorney

Deputy Mayor Gibson called the meeting to order at 2:00p.m.

## 2. City Manager Comments

## 3. Draft Budget Highlights – Workshop 08-11-2021

[Begin Agenda Memo]

### **Growth Management:**

- Utility Service Area Land Use Designation Project – The Purpose of this project is to establish a planning document to identify a preferred land use pattern for properties that are currently in unincorporated Polk County, and in the City's Utility Service Area.

- Mobility Plan – This plan will create a transportation-related funding source to supplement the revitalization/redevelopment of the City's Core Area, in addition to providing a framework for the improvement of city-wide transportation facilities.

- Sr. Planner – Included in the FY'22 budget request is the addition of a Sr. Planner position to assist with increased demands on the development services department related to growth.

### **General Capital and Significant Projects:**

- Completion of the Parks and Recreation Master Plan.

- Approximately 3 to 4 miles of residential streets will be resurfaced in the upcoming fiscal year.

- Update/upgrade of the Audio and Video systems in the City Commission Chambers to enhance the experience of viewers in the chamber and watching from home.

- Replacement of the roof of the James P. Austin Community Center to address deferred maintenance issues for the past 5 years.

- Continuing the City's equipment and vehicle replacement program.
- Upgrade and replacement of both the Jet A and 100L fuel systems at the airport. This enhancement will replace antiquated equipment and allow for larger aircraft to fuel at the Lake Wales Municipal Airport.
- Construction phase of the east apron rehabilitation at the airport.

### **Redevelopment:**

- The City and CRA will continue implementation of the award-winning Lake Wales Connected plan in FY'22. Activities include affordable housing construction, housing rehabilitation, development incentives, and capital construction.
- Significant redevelopment projects that will begin next year are the design and construction of the Northwest Neighborhood Pedestrian and Street Tree Improvements.
- The completion of the 1st Street Streetscape design, the start of construction of the Park Avenue Streetscape and Market Plaza redesign, and the construction of the Park Avenue connector trail project. These enhancements will dramatically improve resident and visitor experiences in Historic downtown Lake Wales.

### **Employees:**

- Tuition reimbursement has been provided within the proposed budget for employees seeking higher education to continue developing the City's workforce.
- Employee health insurance co-pays have been reduced for the upcoming year.
- A 3% Cost of Living Adjustment has been provided for in the FY'22 proposed budget. Communication: In an effort to increase community engagement and citizen communications, included in the proposed budget is:
  - A marketing and communications specialist position within the City Manager's Office.
  - The City's quarterly newsletter and city-wide citizen survey to assess the level of services provided and to identify areas of opportunity.

### **Public Safety:**

- Additional funds have been appropriated for the continued implementation of the Body Worn Camera program in the Police Department in the proposed budget.
- Three additional firefighter positions are included in the proposed budget. The new positions will once again bring the City to an adequate staffing level for the current population and coverage area.

### **Utilities:** utility projects proposed for the FY'22 budget include:

- The construction of the Northwest Neighborhood water line extension, force main upgrades.
- The creation of a Stormwater Master Plan. The creation of the Stormwater Master Plan will mitigate the issues created by water runoff and will positively affect lake water quality.
- Development of Alternative Water Supply Projects

[End Agenda Memo]

Dorothy Abbott, Finance Director, reviewed the draft budget and the changes from the previous draft.

Deputy Mayor Gibson asked if we are accounting for federal grants from the Rescue Plan. Ms. Abbott said yes, the money will go into a separate account. The City Manager has projects in mind for the funding.

Ms. Abbott announced that we are fully funded with reserves for the first time in many years.

Deputy Mayor Gibson asked about estimated impact fee revenues. Ms. Abbott says she estimates those revenues conservatively about half of what they are because we can't count on them.

James Slaton, City Manager, reviewed some of the projects we plan to do this year.

Commissioner Howell asked about the new vehicles for the police department. Mr. Slaton said that vehicles are replaced regularly in each department. Commissioner Howell asked what the police vehicles are for.

Ms. Abbott said that she will get the CIP with all the details about items such as vehicles will go out to the Commission tomorrow.

Chris Velasquez, Police Chief, reviewed the vehicles they need to replace.

Commissioner Howell asked if the money for economic development is the money for the Chamber. Mr. Slaton confirmed this.

Commissioner Howell asked about money for the Mobility Plan. Mr. Slaton explained that they plan to do a Mobility Plan to investigate mobility fees. This money can be used in Lake Wales instead of it going to the county. We will be the first to do this in Polk County.

Commissioner Howell asked about the Senior Planner position. Is this to help with all of our growth? Mr. Slaton said yes.

Commissioner Howell asked if the streets with the Founders' names will be repaved. She noted that they are on the schedule.

Commissioner Howell asked how long after getting a new degree an employee must stay. Mr. Slaton said that we have a policy that they have to stay a year or so. Commissioner Howell said it should be longer. The tuition reimbursement policy was discussed. Mr. Slaton said changes to the policy must be done by ordinance.

Commissioner Howell asked who the 3% increase is for. Mr. Slaton said everyone. Commissioner Howell asked about adjustment to wages according to new minimum wage laws. Mr. Slaton said that we are ahead of that 6 year implementation plan. We always look to adjust pay when we can.

Commissioner Howell about why we need a Marketing specialist. Mr. Slaton said this will take our outreach efforts to a new level. Many do not know about what the City has to offer. This is a frequent complaint.

Commissioner Howell asked about an assistant City Manager position. Mr. Slaton said that is in the proposed budget.

Commissioner Howell asked about body camera funding. Mr. Slaton said additional equipment may be needed for all cameras to be implemented.

#### 4. Parks And Recreation Master Plan Presentation

Chris Dougherty, Planner from S&ME, they are working on our Master Plan. Dave Barton, Greg McClure were presenting with him. Mr. Dougherty shared what they have learned so far. They are finishing up the public engagement phase. They have done interviews, public workshops and surveys. He presented a slide showing where parks are and where parks are missing. The survey has 400 responses. Parks, Trails, fitness facilities are things we are doing well. 38% of households use Lake Wales Trail. Most of the users drive. We would like to encourage more walking and bicycling. The city does not operate programs but relies on operators. Some unmet demands include football and track facilities. The community would like more senior or adult programming. Disc golf was a popular request as was a splash pad and event space.

Deputy Mayor Gibson asked if the list was by priority. Mr. Dougherty said no this is just a summary of input received.

Mr. Dougherty said the participants would like better maintenance of parks and trails. They want enhancements.

They are reviewing user fees and comparing with other cities. The City does not recover much of its costs. The City subsidizes maintenance of the fields. He presented some options for possible pricing structures from other cities.

About of 48% of respondents would be willing to pay up \$1-\$10. 15% would pay 11-\$20. Approximately 38% would not like to pay anything additional. Mr. Dougherty reviewed possible grant sources.

He reviewed the next steps for the long range vision portion and a final draft of the plan will be presented to the Commission at a later date.

Deputy Mayor Gibson said that Lake Wales facilities serves the population beyond our limits. How to best serve them is part of our challenge. We need to spread the expense equitably.

Commissioner Howell said we need more fields and we want to do better.

Commissioner Williams said this is part of growing pains. We need to be strategic in how we grow.

Dave Barton agreed about being strategic and shared some ideas on what steps to take.

#### 5. Agreement For Economic Development Services With The Lake Wales Chamber Of Commerce.

[Begin Agenda Memo]

#### **SYNOPSIS:**

The City Commission will consider entering into an Agreement with the Lake Wales Chamber of Commerce for Economic Development services.

#### **RECOMMENDATION**

It is recommended that the City Commission consider the following action(s):

1. Approve the agreement with the Lake Wales Chamber of Commerce for Economic Development services.
2. Authorize the City Manager to execute the appropriate documents on the City's behalf.

#### **BACKGROUND**

At the request of the City Commission, an agreement with the Lake Wales Chamber of Commerce has

been prepared for Economic Development services. A key change from the previous agreement defines residency requirements for the Executive Director as: "The Executive Director shall establish and continuously maintain residency in the greater Lake Wales area within 6 months of the Start Date of this Agreement. For the purposes of this agreement, the greater Lake Wales area is defined as a location within 10 miles of the City Limits of Lake Wales."

At a recent City Commission Workshop, there was consensus that the Economic Development Council will provide and present activity and financial reports to the City Commission on a quarterly basis. This change in the agreement is reflected in Article 5 Section D.

## **OPTIONS**

1. The City Commission may direct staff to make revisions to the proposed agreement.
2. The City Commission may choose not to engage with the Lake Wales Chamber of Commerce for economic development services.

## **FISCAL IMPACT**

The agreement calls for the City to pay \$125,000 annually in equal quarterly installments of \$31,250.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item and noted changes from the previous version.

Deputy Mayor Gibson asked how much we are paying each year. Mr. Slaton said \$125,000. Deputy Mayor Gibson suggested encouraging them to be more self sustaining and step down the amount. This was discussed. Mr. Slaton said he can modify the contract so that it steps down the 4th and 5th years and then the contract can be reexamined. The Commission discussed the role and the benefits of the EDC. Commissioner Howell said that their reports should be about Lake Wales and what the EDC is doing in Lake Wales. Commissioner Howell suggested that a Commissioner can serve on the EDC if the Mayor can't or is unable to. Mr. Galloway recommended changing the phrase from consent of the Mayor to Consent of the Commission. The Commission agreed.

6. Ordinance 2021-18 Corrects A Scrivener's Error In The Legal Description Provided In Ordinance 2021-02 Petition To Establish The Leoma's Landing Community Development District (CDD) 1st Reading And Public Hearing

[Begin Agenda memo]

**SYNOPSIS:** Ordinance 2021-02 was adopted for the establishment of the Leoma's Landing Community Development District (hereinafter referred to as the "CDD"), as petitioned by Leoma's Landing, LLC. Ordinance 2021-18 corrects a scrivener's error in the original legal description provided.

## **RECOMMENDATION**

Staff recommends approval at first reading, and adoption at second reading of Ordinance 2021-18 following a public hearing.

## **BACKGROUND**

Leoma's Landing is a 94.11-acre unimproved site on the north side of Chalet Suzanne Road, abutting the Dinner Lake subdivision to the east. The property has development approval from the City for a 336-unit single-family Planned Development Project (PDP), as well as a Site Development permit for Phase I.

City Commission approved the establishment of the CCD at regular meeting on January 19, 2021. The

purpose of this ordinance is to correct an error in the legal description provided for the CDD boundary.

#### **OTHER OPTIONS**

Decline request to correct legal description.

#### **FISCAL IMPACT**

Once the roads, water, and wastewater improvements are constructed at the developer's expense, these facilities will be subsequently dedicated to the City for operation and maintenance and will create a long-term fiscal impact.

[End Agenda Memo]

Albert Galloway, Jr., City Attorney, reviewed this item.

7. ORDINANCE 2021-19 Annexation – 20.07 Acres Of Land At The Southwest Corner Of Sunset Drive And Buck Moore Road - 1st Reading And Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** Ordinance 2021-19 proposes the voluntary annexation of approximately 20.07 acres of land located east of Tangelo Street, and contiguous to the incorporated City limits.

#### **RECOMMENDATION**

Staff recommends approval at first reading, and adoption at second reading following a public hearing.

A recommendation from the Planning and Zoning Board is not required for an annexation ordinance.

#### **BACKGROUND**

MOW Groves LLC and Changcocco Family Trust, owners of two separate parcels, petitioned annexation into the corporate city limits of Lake Wales on July 20, 2021.

"Attachment A" to the ordinance shows the properties' locations. It is contiguous to the City

Limits along the northern property boundary of MOW Groves LLC.

#### **OTHER OPTIONS**

Decline to annex the property.

#### **FISCAL IMPACT**

The annexation will add to the City's tax roll. The property is valued at \$140,664, which would bring in additional property taxes.

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item.

Deputy Mayor Gibson said our development quality in the city is better than outside.

8. Ordinance 2021-20 Proposed Amendments To Zoning Regulations 1st Reading And Public Hearing

[Begin Agenda memo]

**SYNOPSIS:** Staff proposes amendments to areas of the Land Development Regulations (LDRs), Chapter 23, Lake Wales Code of Ordinances. These amendments are necessary to streamline signage regulations in the Downtown Historic District, and create regulations to address solar power generation facilities.

**RECOMMENDATION**

At a regular meeting on July 27, 2021, the Planning and Zoning Board made a recommendation of approval to City Commission of the proposed changes to the Land Development Regulations.

**BACKGROUND**

Areas of the Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code of Ordinances) have been identified as needing amendments. These amendments are necessary to address the growth and needs of the community, better align with current best practices, and facilitate a more business-friendly approach to development in Lake Wales.

Amendments are proposed to the following sections:

- a. Sec. 23-227 – Certificate of Appropriateness
- b. Chapter 23:
  - a. Article III, Division 2 – New Section titled “Solar Power Generation Facility”
  - b. Table 23-421 Permitted Uses & Special Exception Uses
  - c. Article VIII, Definitions – New Definition “Solar Power Generation Facility”

Certificate of Appropriateness for Vinyl Signage – The Historic District Regulatory Board reviews Certificate of Appropriateness applications for exterior improvements to buildings in the Historic Downtown District. In many cases, the signage proposed is insignificant and non-structural in nature; therefore, staff discussed an option with the Historic Board that would empower Staff to review and approve certain signs administratively. Below is the language recommended by the Historic District Regulatory Board:

Sec. 23-227.3.a.5.

5. An application for a Certificate of Appropriateness for vinyl, painted, etched, or other types of non-structural signs may be reviewed and approved by the Administrative Official. The Administrative Official’s decision shall be based on an assessment of compliance according to section 23-545 and section 23-653. In any case, the Administrative Official has the right to determine that formal review and approval by the Historic Board is necessary.

Solar Power Generation Facilities – Staff has approached by potential applicants wishing to construct solar power generation facilities within the City. Also known as solar farms, these are typically located on large tracts, and are usually owned/operated by electric utilities.

However, the City currently does not have any regulations in place to address the location, siting, or any use-specific development standards. The proposed changes to Chapter 23 will provide criteria for locating these types of facilities. Key components of these regulations include the following:

- o Only allowed in the R-1A Zoning District

- o Special Exception (Planning Board Approval) required
- o Delineation of permitted and ancillary activities within this use category
- o Design Standards, to include development standards such as placement, setbacks, height, fencing/buffering, glare reduction, access, and similar criteria
- o Addition of the proposed use on Table 23-421 Permitted and Special Exception Uses
- o Inclusion of a Definition of Solar Power Generation Facility

The intent of these provisions is to allow for this type of use while any potential impacts, plus allow for public comment through the Special Exception process (which requires a public hearing).

#### CODE REFERENCES AND REVIEW CRITERIA

Section 23-227. Certificate of appropriateness.

#### FISCAL IMPACT

None.

[End Agenda memo]

Mark Bennett, Development Services Director, reviewed this item.

9. Transfer Of Property Ownership From The City Of Lake Wales To The Lake Wales Community Redevelopment Agency

[Begin Agenda Memo]

**SYNOPSIS:** Staff requests that City Commission transfer ownership of a parcel located at the southeast corner of Lincoln Avenue and B Street (identified by parcel number 272935-879000-001222) from the City to the CRA to facilitate redevelopment on Lincoln Avenue.

#### RECOMMENDATION

Transfer of parcel number 272935-879000-001222 from the City of Lake Wales to the Lake Wales Community Redevelopment Agency.

#### BACKGROUND

Action Item #30 of the Lake Wales Connected Plan states “Work With Investors To Develop A Multi-Tenant Building On Lincoln Avenue”. To accomplish this action item, staff published a Request for Proposals (RFP 21-489) for the redevelopment of public property located at the southeast corner of Lincoln Avenue and B Street. Two responses were received, with the Ranking Committee recommending that the CRA Board accept the bid from the Florida Development Corporation (FDC).

FDC proposes to construct a 6,000 square foot, two-story, mixed-use building, to contain 6 residential units and 1,400 square feet of commercial space. The CRA Board will consider this request at their August 10, 2021 meeting. If accepted by the CRA, it will then be necessary to transfer ownership of a parcel from the City of Lake Wales to the Lake Wales CRA.

The property proposed for transfer is identified by parcel number 272935-879000- 001222. According to the property appraiser records, it was acquired by the City in March 1998 for \$9,500. The property comprises 5,663 square feet, and is currently used as a municipal parking lot with nine spaces.

Because of the opportunity to promote redevelopment along Lincoln Avenue, as envisioned in the Lake Wales Connected Plan, it is important that the property transfer occur to facilitate the construction of a new, mixed-use building.

#### **FISCAL IMPACT**

If approved, the CRA can then proceed with the sale of the west &1/2; of this parcel and the west &1/2; of the parcel directly south of the site to FDC for \$15,000. More importantly, redevelopment of the site for a mixed-use building will provide for additional ad valorem tax revenues to the CRA.

[End Agenda Memo]

James Slaton, City Manager, reviewed items.

#### 10. ORDINANCE D2021-09 Future Land Use Designation – 2804 Hwy 60 E - 2nd Reading And Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** Ordinance 2021-19 proposes the voluntary annexation of approximately 20.07 acres of land located east of Tangelo Street, and contiguous to the incorporated City limits.

**RECOMMENDATION** Staff recommends approval at first reading, and adoption at second reading following a public hearing. A recommendation from the Planning and Zoning Board is not required for an annexation ordinance.

**BACKGROUND** MOW Groves LLC and Changcocco Family Trust, owners of two separate parcels, petitioned annexation into the corporate city limits of Lake Wales on July 20, 2021. "Attachment A" to the ordinance shows the properties' locations. It is contiguous to the City Limits along the northern property boundary of MOW Groves LLC.

**OTHER OPTIONS** Decline to annex the property.

**FISCAL IMPACT** The annexation will add to the City's tax roll. The property is valued at \$140,664, which would bring in additional property taxes.

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item.

#### 11. ORDINANCE D2021-10 Zoning Designation – 2804 Hwy 60 E 2nd Reading And Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** Staff proposes amendments to areas of the Land Development Regulations (LDRs), Chapter 23, Lake Wales Code of Ordinances. These amendments are necessary to streamline signage regulations in the Downtown Historic District, and create regulations to address solar power generation facilities.

**RECOMMENDATION** At a regular meeting on July 27, 2021, the Planning and Zoning Board made a recommendation of approval to City Commission of the proposed changes to the Land Development Regulations.

**BACKGROUND** Areas of the Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code of Ordinances) have been identified as needing amendments. These amendments are necessary to address the growth and needs of the community, better align with current best practices, and facilitate a more business-friendly approach to development in Lake Wales.

Amendments are proposed to the following sections:

- a. Sec. 23-227 – Certificate of Appropriateness
- b. Chapter 23:
  - a. Article III, Division 2 – New Section titled “Solar Power Generation Facility”
  - b. Table 23-421 Permitted Uses & Special Exception Uses
  - c. Article VIII, Definitions – New Definition “Solar Power Generation Facility”

Certificate of Appropriateness for Vinyl Signage – The Historic District Regulatory Board reviews Certificate of Appropriateness applications for exterior improvements to buildings in the Historic Downtown District. In many cases, the signage proposed is insignificant and non-structural in nature; therefore, staff discussed an option with the Historic Board that would empower Staff to review and approve certain signs administratively. Below is the language recommended by the Historic District Regulatory Board: Sec. 23-227.

3.a.5.

5. An application for a Certificate of Appropriateness for vinyl, painted, etched, or other types of non-structural signs may be reviewed and approved by the Administrative Official. The Administrative Official's decision shall be based on an assessment of compliance according to section 23-545 and section 23-653. In any case, the Administrative Official has the right to determine that formal review and approval by the Historic Board is necessary.

Solar Power Generation Facilities – Staff has approached by potential applicants wishing to construct solar power generation facilities within the City. Also known as solar farms, these are typically located on large tracts, and are usually owned/operated by electric utilities.

However, the City currently does not have any regulations in place to address the location, siting, or any use-specific development standards. The proposed changes to Chapter 23 will provide criteria for locating these types of facilities. Key components of these regulations include the following:

- o Only allowed in the R-1A Zoning District
- o Special Exception (Planning Board Approval) required
- o Delineation of permitted and ancillary activities within this use category
- o Design Standards, to include development standards such as placement, setbacks, height, fencing/buffering, glare reduction, access, and similar criteria
- o Addition of the proposed use on Table 23-421 Permitted and Special Exception Uses
- o Inclusion of a Definition of Solar Power Generation Facility

The intent of these provisions is to allow for this type of use while any potential impacts, plus allow for public comment through the Special Exception process (which requires a public hearing).

**CODE REFERENCES AND REVIEW CRITERIA**

Section 23-227. Certificate of appropriateness.

## FISCAL IMPACT

None.

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item.

### 12. Ordinance D2021-13 Future Land Use Map Amendment 2nd Reading And Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** Southwest Holdings LLC, owner, requests to amend the Zoning Map, and the Future Land Use Map of the Comprehensive Plan on one 19.82-acre parcel.

## RECOMMENDATION

Approval to re-assign the following land use and zoning designations:

Current Land Use: Polk County RS Current Zoning: N/A (County does not have zoning)

Proposed Land Use: LDR Proposed Zoning: R-1A

**BACKGROUND** Southwest Holdings USA, Inc, owner, petitioned annexation into the corporate city limits of Lake Wales on May 17, 2021. The property is contiguous to the City Limits along all four boundaries. The next step is to assign land use and zoning to the property.

A Future Land Use Designation of LDR – Low Density Residential, and a Zoning designation of R-1A is compatible with the surrounding area and will complement the built environment. This land use and zoning was recommended by the Planning and Zoning Board at a regular meeting on June 22, 2021.

On July 20, 2021, the City Commission approved Ordinances D2021-13 & D2021-14 on first reading.

The City Commission assigns Future Land Use and zoning designations by ordinances upon a recommendation from the Planning & Zoning Board. The adopted land use ordinance is transmitted to the state's Department of Economic Opportunity (DEO) for review. The DEO reviews the designations as appropriate with reference to the City's Comprehensive Plan.

**FISCAL IMPACT** Re-assignment would enable the development of this property and the potential increase in property value. Specifically, estimating an average of \$175,000 in taxable value per unit, and assuming 99 dwelling units based on maximum density, it could potentially result in over \$17 million in taxable value, and generate \$117,000 in ad valorem taxes.

\*Adjusted values for potential homesteaded properties have not been factored into this estimate.

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item.

### 13. ORDINANCE D2021-14 Zoning Designation – Robin's Run 2nd Reading And Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** Southwest Holdings LLC, owner, requests to amend the Zoning Map, and the Future Land Use

Map of the Comprehensive Plan on one 19.82-acre parcel.

## **RECOMMENDATION**

Approval to re-assign the following land use and zoning designations:

Current Land Use: Polk County RS Current Zoning: N/A (County does not have zoning)

Proposed Land Use: LDR Proposed Zoning: R-1A

**BACKGROUND** Southwest Holdings USA, Inc, owner, petitioned annexation into the corporate city limits of Lake Wales on May 17, 2021. The property is contiguous to the City Limits along all four boundaries. The next step is to assign land use and zoning to the property.

A Future Land Use Designation of LDR – Low Density Residential, and a Zoning designation of R-1A is compatible with the surrounding area and will complement the built environment. This land use and zoning was recommended by the Planning and Zoning Board at a regular meeting on June 22, 2021.

On July 20, 2021, the City Commission approved Ordinances D2021-13 & D2021-14 on first reading.

The City Commission assigns Future Land Use and zoning designations by ordinances upon a recommendation from the Planning & Zoning Board. The adopted land use ordinance is transmitted to the state's Department of Economic Opportunity (DEO) for review. The DEO reviews the designations as appropriate with reference to the City's Comprehensive Plan.

**FISCAL IMPACT** Re-assignment would enable the development of this property and the potential increase in property value. Specifically, estimating an average of \$175,000 in taxable value per unit, and assuming 99 dwelling units based on maximum density, it could potentially result in over \$17 million in taxable value, and generate \$117,000 in ad valorem taxes.

\*Adjusted values for potential homesteaded properties have not been factored into this estimate.

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item.

## 14. "Robin's Run" - Preliminary Subdivision Plat Approval / Special Exception Use Permit - PUBLIC HEARING

[Begin Agenda Memo]

**SYNOPSIS:** Dave Schmidt PE, agent for Hunt Brothers Inc and Southwest Holdings USA Inc, owners, is requesting the approval of City Commission, of a 156-lot single-family Preliminary Subdivision Plat and a Special Exception Use Permit for a Residential PDP on 40 acres of land at the southwest corner of Sunset Drive and Buck Moore Road.

**RECOMMENDATION** At a regular meeting on July 27, 2021, the Planning and Zoning Board made a recommendation of approval to City Commission of a 156-lot single-family Preliminary Subdivision Plat and a Special Exception Use Permit for a Residential PDP, with conditions of approval.

## **BACKGROUND**

General: The 40-acre vacant grove land is located at the southwest corner of Sunset Drive and Buck Moore Road, across Buck Moore from the Sunset Pointe Subdivision.

The northern-most 20 acres were annexed into the City by petition from the property owner in May of 2021. The Planning and Zoning Board recommended the R-1A Zoning and Low-Density Residential Future Land Use designations at a regular meeting in June of 2021.

The proposed single-family subdivision is designed as a Planned Development Project, including requested Waivers of Strict Compliance and elevated design standards.

Maximum density allowed on the site is calculated at 5 units per gross acre, or 200 homes, under the Comprehensive Plan for LDR Low-Density Residential; a density of 3.9 dwelling units per acre is proposed.

Typical lot sizes range from 4,600 square feet to 6,900 square feet, with lot widths ranging from 40-foot-wide to 60-foot-wide.

*Roadways & Access:* One entrance to the site is shown from Buck Moore Road. An access permit must be obtained from Polk County, as it is a County Road.

A stub-out for future connectivity is shown near the southwest corner of the project, where 25 feet of right-of-way will be dedicated along the western boundary of the property.

Buck Moore Road is classified as an Urban Collector per the Polk Transportation Planning Organization 2020 Roadway Network Database. Currently, this roadway has an estimated Annual Average Daily Traffic of 9,200 trips, with 406 peak hour trips northbound and 422 southbound. The level of service standard of this roadway is LOS "C" with a maximum of 792 peak hour trips, and currently operates at LOS "B".

Transportation data for Sunset Drive, a County Road, is not available.

A 5-foot-wide sidewalk will be constructed along the perimeter of the development along both Buck Moore Road and Sunset Drive, as well as on both side of the streets interior to the development. Staff recommends that the sidewalk proposed along the northern boundary, be relocated to the north side of Sunset Drive, so to create connectivity to the existing sidewalk network and cure sidewalk gaps.

*Landscaping and Buffering:* A landscape plan is provided showing perimeter buffer trees, and interior street trees. A variety of plantings is proposed, including Live Oak, Winged Elm, American Elm, Holly, Cabbage Palms, Red Maple, Cedar, and Magnolia.

A 6-foot-high subdivision wall with plantings is proposed along the perimeter of the development.

Residential tree density requirements will be enforced at building permit issuance, pursuant to section 23-307.2.a.3: a minimum of two, two-inch caliper shade trees, minimum of eight feet at planting.

*Recreation:* The project is designed with nearly 4 acres of recreation tracts, including a centralized neighborhood park, and three large mini-parks throughout the development. Staff recommends that the mini-parks rear to private lots be distinguished from the abutting private yards.

More than 16% of the site will remain as open space. *Waivers of Strict Compliance:* The applicant requests the following

Waivers of Strict Compliance from certain dimensional and area standards in the R-1A zoning district:

- 1.) Minimum lot width at building line: 40 feet wide is requested where 85 feet wide is required by code.
- 2.) Front building setback: 20 feet is requested where 30 feet is required by code.
- 3.) Side building setback: 5 feet is requested where 10 feet is required by code.
- 4.) Increase in the allowable lot coverage not to exceed 50% where 40% is required by code.

Proposed Superior Design Standards: In exchange for the consideration of the above-mentioned Waivers of Strict Compliance requested, the applicant proposes the following elevated design elements in order to demonstrate a superior product:

1. The installation of sidewalks on both sides on interior streets (only one side is required by code).
2. Increased recreation area.
3. Street trees.

Staff Comments and Findings:

1. The Plan meets the Residential PDP standards found in Section 23-442.
2. The use is compatible with the intentions of Policy 2.11: Low Density Residential of the City's Comprehensive Plan.
3. This site is located within the City's utility service area and will connect to municipal water and sewer.
4. The proposed plan demonstrates design elements that are superior to the requirements of a standard subdivision.
5. Staff recommends the following conditions of approval:
  - a. Fences must be setback a minimum of 15 feet behind the front building expression line.
  - b. Development will adhere to the City's monotony standards.
  - c. A separate tract at the northeast corner of the site shall be provided and reserved as right-of-way for future intersection improvements.
  - d. The required perimeter sidewalk along the northern boundary of the project abutting Sunset Drive shall be installed instead on the north side of Sunset Drive in order to cure sidewalk gaps.
  - e. Site Plan or Landscape Plan shall illustrate how the mini-parks will be distinguished from private rear yards.
  - f. Decorative, dark sky friendly street lighting to minimize glare and reduce light pollution. Street lighting design/type to be approved by the City, and maintained by the HOA.
  - g. Staggered front building setbacks at a minimum of two feet difference between adjacent lots.
  - h. A required minimum front setback for garages at 25 feet.
  - i. Garages will be a minimum of 400 square feet.

OTHER OPTIONS Decline to recommend approval of the preliminary subdivision plat and PDP.

FISCAL IMPACT Approval of the preliminary plat and PDP would enable the development of this property and the potential increase in property value. Specifically, estimating an average of \$200,000 in taxable value per unit, it could potentially result in over 31 million in taxable value, and generate \$212,078 in ad valorem taxes.

\*Adjusted values for potential homesteaded properties have not been factored into this estimate.

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item and presented a slide show describing the planned project.

Deputy Mayor Gibson asked if the Planning and Zoning Board works well together. Mr. Bennett said yes. There vote was unanimous on this. They have had good meetings and the members ask good questions.

15. Robin's Walk - Preliminary Subdivision Plat Approval / Special Exception Use Permit PUBLIC HEARING

[Begin Agenda Memo]

**SYNOPSIS:** Dave Schmidt PE, agent for Hunt Brothers Inc, owner, is requesting a recommendation of approval to City Commission, of a 33-lot single-family Preliminary Subdivision Plat and a Special Exception Use Permit for a Residential PDP on 10 acres of land on Grant Road, in the R-1A zoning district.

**RECOMMENDATION**

At a regular meeting on July 27, 2021, the Planning and Zoning Board made a recommendation of approval to City Commission of a 33-lot single-family Preliminary Subdivision Plat and a Special Exception Use Permit for a Residential PDP, with conditions of approval.

**BACKGROUND**

General:

The 10-acre vacant grove land is located on the north side of Grant Road, and just east and southeast of Sunset Pointe Subdivision. The eastern boundary abuts two single-family lots located in unincorporated Polk County.

The proposed single-family subdivision is designed as a Planned Development Project, including requested Waivers of Strict Compliance and elevated design standards.

Maximum density allowed on the site is calculated at 5 units per gross acre, or 50 homes, under the Comprehensive Plan for LDR Low-Density Residential; a density of 3.3 dwelling units per acre is proposed.

Typical lot sizes range from 4,950 square feet interior to the development, to 6,600 square feet along the perimeter.

Roadways & Access:

Two entrances to the site are shown from Grant Road. An access permit must be obtained from Polk County, as it is a County Road.

A 5-foot-wide sidewalk will be constructed along the perimeter of the development along Grant Road, as well as on both side of the streets interior to the development.

Landscaping and Buffering:

A landscape plan is provided showing perimeter buffer trees, and interior street trees. A variety of plantings is proposed, including Live Oak, Winged Elm, American Elm, and Yaupon Holly.

A subdivision wall is not proposed, and is not preferred under PDP standards for subdivision with

less than 100 dwelling units.

Residential tree density requirements will be enforced at building permit issuance, pursuant to section 23-307.2.a.3: a minimum of two, two-inch caliper shade trees, minimum of eight feet at planting.

Recreation:

The project is designed with .50-acres in recreation, including a neighborhood park positioned north of lots 25 & 26, and a mini-park at the southwest corner of the site. More than 21% of the site will remain as open space.

Waivers of Strict Compliance:

The applicant requests the following Waivers of Strict Compliance from certain dimensional and area standards in the R-1A zoning district:

- 1.) Minimum lot width at building line: 45 feet wide is requested where 85 feet wide is required by code.
- 2.) Front building setback: 20 feet is requested where 30 feet is required by code.
- 3.) Side building setback: 5 feet is requested where 10 feet is required by code.
- 4.) Increase in the allowable lot coverage not to exceed 50% where 40% is required by code.

Proposed Superior Design Standards:

In exchange for the consideration of the above-mentioned Waivers of Strict Compliance requested, the applicant proposes the following elevated design elements in order to demonstrate a superior product:

1. The installation of sidewalks on both sides on interior streets (only one side is required by code).
2. Increased open space and recreation area.
3. Street trees.

Staff Comments and Findings:

1. The Plan meets the Residential PDP standards found in Section 23-442.
2. The use is compatible with the intentions of Policy 2.11: Low Density Residential of the City's

Comprehensive Plan.

3. This site is located within the City's utility service area and will connect to municipal water and sewer.
4. The proposed plan demonstrates design elements that are superior to the requirements of a standard subdivision.
5. Staff recommends the following conditions of approval:

- a. Garages must be setback a minimum of 25 feet.
- b. Fences must be setback a minimum of 15 feet behind the front building expression line.
- c. Development will adhere to the City's monotony standards.
- d. Planning and Zoning Board recommends that the City participates in the extension of the exterior sidewalk along Grant Road to Buck Moore Road, in order to provide safe pedestrian connectivity and to avoid sidewalk gaps.

**OTHER OPTIONS**

Decline to recommend approval of the preliminary subdivision plat and PDP.

**FISCAL IMPACT**

Approval of the preliminary plat and PDP would enable the development of this property and the potential increase in property value. Specifically, estimating an average of \$200,000 in taxable value per unit, it could potentially result in over \$6 million in taxable value, and generate \$44,862 in ad valorem taxes.

\*Adjusted values for potential homesteaded properties have not been factored into this estimate.

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item and presented the plan for this.

16. Master Development Plan - Winter Haven Corporation - Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** Winter Haven Corporation, owner, requests approval of City Commission for a Master Development Plan (MDP) for the above-mentioned parcels totaling 1,841+- acres of land, as recommended by the Planning and Zoning Board on June 22, 2021.

**RECOMMENDATION**

Approval of City Commission of the Master Development Plan, with the attached conditions of approval, as recommended by the Planning and Zoning Board on June 22, 2021.

**BACKGROUND**

On July 20, 2021, the City Commission continued this request at the applicant's request to August 3, 2021.

The 1,841.5 acres owned by Winter Haven Corporation have been under common ownership for 60 years. The owners are committed to the execution of a high-quality, large-scale development that respects the history and character of Lake Wales. The site was annexed into the City of Lake Wales in 1995. In 2020, the City adopted a new Future Land Use designation of Mixed Use, including an amendment to the City's Land Development Code that created a Planned Development Mixed Use zoning district as an implementation measure of the Comprehensive Plan. Later in 2020, the City's Future Land Use Map was amended to place the Mixed-Use future land use on the Winter Haven Corp property.

Utilizing master planned development encourages the preservation of open space and protection of environmentally sensitive areas, by clustering development activities. This form of development also prioritizes pedestrian and vehicular connectivity, promoting the creation of pedestrian connectivity

throughout the entire site. Trail systems become an important community asset that creates recreational opportunities and provides a safer alternative to vehicular movement throughout the community.

Cohesive design and development of a roadway network also promotes a strong sense of place and enables the master developer to establish a roadway network hierarchy to guide vehicular traffic thoughtfully through the development, allowing for the prioritization of the pedestrian in areas where that is more appropriate.

Developing large tracts of land in a cohesive manner promotes the location of community uses, such as schools, libraries, public services, and places of worship. Communities are thoughtfully planned, so these community needs are located in a manner that highlights their importance and function in the community.

Development Details:

Project acreage is 1,841.5 +/-.

2. The site lies within flood zones X, A, and AE, Flood Insurance Rate Map (firm) panel 12105C0535H, 12105C0555H, 12105C0545H and 12105C00565H, Polk County and incorporated areas.
3. Current Future Land Use designation is Mixed Use (MU).
4. Development Table is listed below. The Commercial/Office/Public Facilities uses may include public and private educational facilities.

Land uses	Dwelling Units	Square Feet
<b>Residential</b>		
Single Family Detached	2,800	
Single Family Attached (paired villas)	500	
Townhomes	950	
Multifamily	1800	
<b>Non-residential</b>		
Commercial		400,000
Office		125,000
Assisted Living/Public Facilities		200,000
<b>Total</b>	<b>6,100</b>	<b>725000</b>

\*Land uses may be exchanged within these entitlements providing that the approved traffic trips are not exceeded.

Areas	Area Code	Gross Density
Multifamily 1	MF1	20 du/net acre
Multifamily 2	MF2	20 du/net acre
Office Commercial 1	OC1	16 du/net acre, FAR 0.35
Office Commercial 2	OC2	16 du/net acre, FAR 0.35

Residential/Institutional	RI1	8 du/net acre, FAR 0.25
Residential/Institutional	RI2	8 du/net acre, FAR 0.25
Single family 1	SF1	4 du/net acre
Single Family 2	SF2	4 du/net acre
Single Family 3	SF3	6 du/net acre
Single Family 4	SF4	4 du/net acre
Single Family 5	SF5	4 du/net acre
Single Family 6	SF6	4 du/net acre
Single Family 7	SF7	4 du/net acre

5. Permitted uses shall be consistent with and as allowed by the PDMU (Planned Development Mixed Use) District and Master Development Plan standards, as set forth in section 23-450, Uses Permitted (Table 23-421) of the City of Lake Wales Code of Ordinances requiring permitted uses be included as identified herein, and on the approved site plan.

6. A vertical mix of land uses shall be permitted in Office/Commercial areas, including residential uses on second and higher stories above office/commercial structures and any additional development shall not specifically excluded from FAR calculations and limitations contained herein.

7. Required Master Development Plan open space is 20% (368 acres). The project provides 43% open space (796 acres). The open space consists of wetlands, natural areas, perimeter buffers, common open space, linear parks, amenity centers and recreational areas. Common open space (green areas) may also be located within individual development parcels but not on individual lots. At a minimum, the open space includes 10% of usable open space (184.15 acres) which may include linear parks, trails, recreational amenity centers, unprogrammed recreation areas and accessible lakes. Open space shall be quantified based on the entirety of the Master Development Plan and, not by the individual development pods or parcels.

8. The proposed gross residential density is 3.3 du/ac.

9. The maximum allowed floor area ratio is 0.35. The FAR ratio shall be calculated per individual development pod or parcel, and not based on the totality of Master Development Plan.

10. The sizes and specific location of the community parks as shown on this Master Development Plan are conceptual. The final location and sizes will be determined through the approval of final plats and accompanying construction plans. Recreational amenities shall be provided in accordance with Section 23-450.5 through 23-450.7 of the Lake Wales Code of Ordinances.

11. Parks, recreational and municipal uses shall be allowed in all Development Areas; subject to the review and approval of design and locations by the Administrative Official and the site plan approval.

12. Interim agricultural uses shall be permitted on the property.

13. Wetlands as shown were delineated by Modica and Associates, Inc. and surveyed by Basepoint Surveying, Inc.

Dimensional Criteria:

14. The Master Development Plan dimensional criteria, as set forth in Section 23- 422A, Property development criteria, of the City of Lake Wales Code of Ordinances.

	Type	Minimum Lot Width	Minimum Lot Size	Min Buildings	Setbacks (FT)		Principal	Maximum Building Height
				Front	Side	Rear		
Residential	Single Family Detached	40' to 60'	4,000	*20	5'	15'		35'
	Single Family Detached	Greater than 60'	6,100	*20	7.5'	15'		35'
	Townhome	20'	2000	*20	7.5 (15' between buildings)	15'		35'
	Villas	30'	3,000	*20	7.5 (15' between buildings)	15'		35'
	Multifamily	N/A	N/A	*25	25'	25'		65' / 5 stories
Non-Residential	Commercial	N/A	N/A	25'	20'	25'		35'
	Office	N/A	N/A	25'	20'	25'		65'
	Institutional	N/A	N/A	25'	20'	25'		45'

\*Residential garages shall be set back a minimum of 25 feet to promote recessed garages.

\*Unless otherwise identified on the MDP, the development standards of uses not specifically identified herein, shall be in conformance with Chapter 23 of the City of Lake Wales Code of Ordinances.

### Public Utilities

15. The provision of off-site water and sewer, and reclaimed water improvements are subject to the approval of the city engineer.

16. The provision of on-site water and sewer, and reclaimed water improvements are subject to the approval of the city engineer.

17. All utilities shall be placed below ground except where connecting to existing above ground utilities.

18. The construction and location of any proposed wetland/other surface water impacts and mitigation plan shall be reviewed and permitted through the Southwest Florida Water Management District. Wetland buffers shall be an average of 25 feet wide.

### Transportation

19. An interconnected system of linear parks and trails shall be provided throughout the community. Trails may be provided within road rights-of-way. The main trail along the project boulevard will be a minimum of 8 foot wide and with a 5 foot sidewalk provided on the opposite side of the boulevard.

20. Sidewalks on local streets shall be installed in accordance with Section 23-450.5 through 23-450.7 of the City of Lake Wales Code of Ordinances.

21. Internal roadway alignments and site access points are conceptual. Specific location of rights-of-way will be determined through the approval of preliminary site plans and accompanying construction plans.

22. Streets are anticipated to be public (city owned), however, the Developer reserves the right to provide private streets, gated or ungated, for individual neighborhoods.

Unimpeded travel by the public shall be allowed on the boulevard shown on the plan.

23. All project external access points on Polk County and FDOT roads shall be subject to Polk County and FDOT requirements.

**General:**

24. Due to the magnitude of the project, the Developer shall:

a. Track the number/type of dwelling units and commercial, retail, office, civic, educational square feet, as identified on this Master Development Plan. Said tracking shall be provided with each preliminary site plan and accompanying construction plan application or final plat.

b. Prior to the receipt of a Certificate of Occupancy for the 500th dwelling unit or the equivalent non-residential development based on trip generation, the Applicant provide an overall master infrastructure plan to include, but not be limited to, address utilities, transportation, recreation and trails, telecommunications (including internet service), and schools, which shall be provided to the Administrative Official for review and approval.

c. After submittal and approval of the master infrastructure plan, the Applicant shall submit an annual status report to the Administrative Official prior to November 1 of each year including the amount, type, and intensity of development from the prior year and provide analysis to determine the proper scheduling of infrastructure improvements identified in the master infrastructure plan.

**Specific Master Development Plan Criteria**

25. Specific design features within the development will meet the criteria required in Section 23-450, Master Development Plan Regulation criteria. Specific design features may include at a minimum but are not limited to:

a. Additional usable open space in the form of accessible lakes, programmed recreation amenity centers, pedestrian friendly trail systems and unprogrammed recreation areas.

b. Variety of building façades with unique architectural features.

c. Streets designed predominantly in a curvilinear fashion.

d. Installation of street trees.

e. Pedestrian friendly trail system traversing the development – with connections to recreational amenities and sidewalk system throughout the development.

f. Require walkable neighborhoods with pedestrian connections to recreational amenities, institutional uses and non-residential services.

g. Require internal street connections to allow access to commercial services to residents.

h. Provide identifiable community centers with programmed recreational amenities within short walking

distance to the majority of homes.

- i. Provide additional unprogrammed recreation areas within short walking distance to the majority of homes. These may include pocket parks and linear parks.
- j. Project shall provide a range of housing choices including multifamily, townhomes, villas and a minimum of three (3) single family detached lot sizes. The project design shall also disperse the housing products throughout the development to provide visual interest in both design and architectural features and to avoid monotony.

26. Monotony Control – In addition to the criteria in Section 23-3442(e.) of the City's Land

Development Code, the proposed development shall adhere to the following:

- a. Houses shall be required to have sufficient difference in both front elevation and color schemes.
- b. Front yard setbacks on non-curvilinear streets must vary by a minimum of 2 feet to provide varied streetscapes.
- c. Development pods of varying lot widths shall be dispersed throughout the development to avoid a repetitive pattern and establish discrete and identifiable neighborhoods.

27. Landscape and site buffering features

- a. Screening and buffering will be provided in accordance with Section 23-450.5 through 23-450.7 of the City of Lake Wales Code of Ordinances and landscape plans shall be approved by the Administrative Official at the site plan submitted for each discrete phase.
- b. Street Trees - The project shall provide 1 tree per single family detached lot. Corner lots shall include a minimum of two street trees, one per each roadway frontage.
- c. Perimeter landscape buffers abutting property lines shall be an average of 20 ft wide. The buffer shall be landscaped to provide a solid screen, such as a wall or hedge, a minimum of six (6) feet in height. One (1) tree shall be provided for every fifty (50) feet of buffer length.
- d. A 20 ft landscape buffer shall be provided along spine roads within the development where the rear yards of lots abut the spine road. The buffer shall be landscaped to provide a solid screen, such as a wall or hedge, a minimum of six (6) feet in height. One (1) tree shall be provided for every fifty (50) feet of buffer length.
- e. A 30 ft perimeter landscape buffer shall be provided adjacent to external arterial and collector roadways. The buffer shall be landscaped to provide a solid screen, such as a wall or hedge, a minimum of six (6) feet in height. One (1) tree shall be provided for every fifty (50) feet of buffer length.
- f. Fences and/or privacy walls, a maximum of 6 ft in height, may be constructed along the perimeter project boundary and adjacent to internal spine roads. Chain link fences shall be prohibited as a perimeter subdivision buffer.
- g. The project shall retain, to the greatest extent possible and where appropriate, natural features on the external perimeter boundary for use in landscape buffers and to limit the external exposure to the development. Where those features exist, they may be deemed to meet the landscape buffer requirement.

## **FISCAL IMPACT**

Approval of the Master Development Plan would enable the development of this property and the potential increase in property value. Specifically, estimating a conservative median taxable value of \$100,000 per

unit, it could potentially result in over \$610 million in taxable value, and generate \$4 million in ad valorem taxes. This does not include potential revenue generated for non-residential uses.

\*Adjusted values for potential homesteaded properties have not been factored into this estimate.

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item.

17. Bok Academy North – Seminole Avenue Temporary Road Closure

[Begin Agenda Memo]

**Synopsis:** The City Commission will consider a request to allow the staff of Bok Academy North to restrict thru traffic on Seminole Avenue between 3rd and 4th Street on school days.

**RECOMMENDATION**

Staff recommends that the City Commission consider taking the following action:

1. Approve the temporary restriction of traffic flow on Seminole Avenue between 3rd and 4th Street during the prescribed times to "Local Traffic Only." School staff will use signage and three cones at each end of Seminole Avenue to accomplish this.

- School hours are 9:00am – 3:50pm (Early release days end at 1:30pm).
- Road restriction times should be 8:30 am – 4:20 pm (2:00pm on early release days).
- School staff will place and remove the cones daily.

**BACKGROUND**

Bok Academy North is located on both sides of Seminole Avenue between 3rd and 4th Street in Lake Wales. Students must cross Seminole Avenue throughout the day in order to access different parts of the campus during school. Depending on the time of day and circumstances, these students cross Seminole Avenue individually and in groups, presenting a traffic safety concern. The school administration has contacted five residents and one apartment owner that this closure would affect. The police department has also spoken with residents and property owners affected by this recommendation. There is a consensus from the residents and property owners that restricting traffic on Seminole Avenue between 3rd and 4th Street would be acceptable during school hours on schools days. These stakeholders, along with their visitors and service providers to the area would not be restricted throughout the day. This temporary road restriction does not affect emergency vehicles and leaves ample room for them to travel or park if necessary. Bok Academy North has agreed to place cones out each day to facilitate this restriction during school hours.

**OTHER OPTIONS**

Do not approve the temporary road restriction.

**FISCAL IMPACT**

There will be no fiscal impact on the City of Lake Wales.

[End Agenda Memo]

David Black, Deputy Chief of Police, reviewed this item.

Commissioner Howell asked about traffic issues at Janie Howard Wilson and Polk Avenue. James Slaton, City Manager, said we are looking into these areas with FDOT and the county. Deputy Chief Black said they work with all the schools concerning traffic issues.

18. Modification Of The Official Traffic Map

[Begin Agenda Memo]

**Synopsis:** Staff recommends a modification to the Official Traffic Map designating a 25 Mph speed limit and the installation of updated signage on the below listed city streets.

**RECOMMENDATIONS:**

- Approve the speed limit reduction from 30 Mph to 25 Mph on the following streets to match that of Washington Ave. and other streets in this neighborhood.
  - Modify the Official Traffic Map to reflect the changes and install the appropriate signage.
1. Seaboard Ave.
  2. Dorsett Ave.
  3. A Street
  4. B Street
  5. C Street
  6. D Street
  7. E Street
  8. F Street
  9. G Street.
  10. Alabama Street
  11. Lincoln Ave.

**BACKGROUND**

There current posted speed limit on Washington Ave. and other surrounding streets is 25 Mph. The above listed roadways are within the same residential neighborhood; however, the posted speed limit on these roadways is 30 Mph. Staff recommends the City Commission reduce the speed limit on the listed roadways to 25 Mph. The volume of pedestrian and vehicular traffic on these roadways increases significantly in the mornings and afternoons, especially during the school year. This increase causes a traffic safety concern as children are walking to and from Janie Howard Wilson Elementary School, Spook Hill Elementary School and Roosevelt Academy.

The location outlined in this recommendation is within the Corporate Limits of the City of Lake Wales. Section 316.006 (2) (a) Florida Statutes, provides that "Chartered municipalities shall have original jurisdiction over all streets and highways located within their boundaries, except state roads. The City

Commission is empowered by Charter to make changes as necessary to the Official Traffic Map of the City.

## **OTHER OPTIONS**

The Commission may choose not to make the requested changes to the Official Traffic Map

## **FISCAL IMPACT**

The Fiscal Impact will consist of signage costs and installation by the Streets Department.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item. Michael Smith, Lake Wales Police Department, also reviewed this item. Commissioner Howell asked about Jewell and Pearl Streets which are not on here. Mr. Smith said those are already 25 mph. We want all streets to be the same. Mr. Slaton reported that the cost to change signs is about \$6300.

### 19. Resolution 2021-17 Stormwater Watershed Management Plan

[Begin Agenda Memo]

**SYNOPSIS:** In order to receive State Revolving Loan Funds (SRF) for any given project, a resolution has to be adopted by the city stating its financial position and the authority to apply for these funds.

## **STAFF RECOMMENDATION**

It is recommended that the City Commission consider taking the following action:

1. Adopt Resolution 2021-17 Stormwater Watershed Management Plan.

## **BACKGROUND**

The main purposes of watershed management is to look at all the natural resources in a watershed, especially water, land and soil. Watershed management provides a framework for assessing the ways in which those resources are used, what affects them, and how they can best be used and protected. A watershed is simply the geographic area through which water flows across the land and drains into a common body of water, whether a stream, river, lake, or ocean. The watershed boundary will more or less follow the highest ridgeline around the stream channels and meet at the bottom or lowest point of the land where water flows out of the watershed, the mouth of the waterway. Much of the water comes from rainfall and stormwater runoff. The quality and quantity of stormwater is affected by all the alterations to the land. Upon completion of the plan, recommendations will be offered to address several different components. (i.e. road flooding and lake quality)

A request for inclusion was submitted, by staff to SRF, with all the accompanying documentation, so the City could be placed on the SRF funding list that was announced on June 2, 2021. The next step in the process is to submit the application, an adopted resolution, letter of legal opinion and all other accompanying documentation. The resolution states, the Florida Administrative Code rules require authorization to apply for loans, to establish pledged revenues, to designate an authorized representative; to provide assurances of compliance with loan program requirements; and to enter into a loan agreement.

Staff is recommending the City Commission adopt Resolution 2021-17 Stormwater Watershed Management Plan.

## **OPTIONS**

None. Without the adoption of Resolution 2021-17 the City would not be eligible to apply or receive SRF funds for the creation of this study.

## **FISCAL IMPACT**

None at this time. Once a contract has been proposed by SRF it will be brought back before this Commission for approval.

[End Agenda Memo]

Sarah Kirkland, Utilities Director, reviewed this item.

## 20. Alternative Water Supply Development Project (AWS)

[Begin Agenda Memo]

**SYNOPSIS:** Hoyle Tanner & Associates, Inc. will be preparing an initial feasibility analysis and development plan for the development of an alternative water supply exploring the Lower Floridan Aquifer.

## **RECOMMENDATION**

It is recommended that the Commission take the following action:

1. Approve Engineering services with Hoyle Tanner & Associates, Inc. for \$102,000.00.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

## **BACKGROUND**

The City owns and operates a public, municipal drinking water system serving approximately 29,600 people providing roughly 3 MGD (million gallons per day) including the City and Park Water Company.

The current water source is groundwater from the Upper Floridan aquifer, which is treated by aeration and chlorination at several water treatment facilities. Given future expected development and system expansion, the need for additional supply is anticipated. The Commission at its April 20, 2021 City Commission meeting approved for Hoyle Tanner & Associates Inc. to perform a preliminary analysis to determine different alternatives for additional water supply for recommendation. After the review of the AWS study and Staff recommendation, Commission approval was given to go forward with the creation of a more comprehensive AWS development project.

Staff recommends the Commission take the following action, approve entering into a contract with Hoyle Tanner to prepare an initial feasibility analysis and development plan for the development of an alternative water supply exploring the Lower Floridan Aquifer for \$102,000.00, and authorize the City Manager to execute the appropriate documents, on the City's behalf.

## **OTHER OPTIONS**

The Commission could choose not to approve the contract listed above, and enter into a contract with the Polk Regional Water Cooperative to supply the additional water needed for growth and development.

## **FISCAL IMPACT**

The 2020-21 Utilities M & R budget line item for contract services associated with the cooperative water project will be used.

[End Agenda Memo]

Sarah Kirkland, Utilities Director, reviewed this item.

21. Water Use Permit Review And Preliminary Water Supply And Permitting Strategy

[Begin Agenda Memo]

**SYNOPSIS:** Hoyle Tanner & Associates, Inc. will provide a water system engineering analysis to supplement the hydrological analysis for the water use permit review and strategy development.

**RECOMMENDATION**

It is recommended that the Commission take the following action:

1. Approve Engineering services with Hoyle Tanner & Associates, Inc. for \$44,500.00.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

**BACKGROUND**

The City owns and operates a public, municipal drinking water system serving approximately 29,600 people providing roughly 3 MGD (million gallons per day) including the City and Park Water Company. The current water source is groundwater from the Upper Floridan aquifer, which is treated by aeration and chlorination at several water treatment facilities. The City's ability to withdraw groundwater from the current source, the Upper Floridan Aquifer, is limited by the City's Water Use Permit (WUP). Besides the withdrawal limits, the WUP contains 24 special conditions requiring, among other things, a regulatory permit review in early 2022 that could result in changes to the limits and other aspects of the WUP. To prepare for this upcoming review, Task Order #2 provides a review of these special conditions and the City's compliance as well as the development of a preliminary water supply and permitting strategy for the upcoming review and required reports.

Staff recommends the Commission take the following action, approve entering into a contract with Hoyle Tanner to provide a water system engineering analysis to supplement the hydrological analysis for the water use permit review and strategy development for \$44,500.00, and authorize the City Manager to execute the appropriate documents, on the City's behalf.

**OTHER OPTIONS**

None. The 2022 WUP Review is a requirement placed in the permit by the Southwest Florida Water Management District. The 2022 review represents the mid-way point for the current 20-yr operating permit.

**FISCAL IMPACT**

The 2020-21 Utilities M & R budget line item for permitting.

[End Agenda Memo]

Sarah Kirkland, Utilities Director, reviewed this item.

22. Agreement Renewal With The Polk County Board Of County Commissioners (BoCC) Fleet Management Division For City Vehicle And Equipment Maintenance Services.

[Begin Agenda memo]

## RECOMMENDATION

It is recommended that the City Commission take the following actions:

1. Approve the agreement to extend the existing contract for an additional twelve month period.
2. Authorize the City Manager to execute the agreement on behalf of the City.

## BACKGROUND

In August of 2009, the City of Lake Wales (COLW) entered into an agreement with the Polk County Board of County Commissioners for fleet maintenance services. Per the agreement, BoCC's Fleet Management Division provides maintenance services on all City-owned vehicles and equipment at the City's fleet facility located on Crystal Avenue. The initial term of the agreement was for a twelve month period with the option to renew annually upon mutual agreement between the City and the BoCC. The agreement has been renewed each consecutive fiscal year since the initial agreement in 2009.

Under the terms of the agreement, Polk County Fleet Management (PCFM) provides:

- All labor, parts and outsourced services related to routine, breakdown and/or preventative maintenance. Repairs related to accidents and/or abuse are included but are not within PCFM's basic rate structure.
- Management of accident and/or abuse related repairs in coordination with COLW management personnel.
- Tire maintenance, replacement and/or repairs.
- Service and/or breakdown support, 24 hours/day 7 days/week.
- Repair and/or maintenance of allied tools, equipment and/or small engine machinery.
- Maintenance reporting through the current PCFM automated Fleet Management Information System (FMIS).
- Access to and service from all PCFM's network of garage facilities Countywide.
- Repair and/or maintenance of COLW owned generators, when requested.
- Repairs to shop equipment owned by the COLW if the failed equipment was rendered inoperative due to PCFM.

The Polk County Fleet Management Division provides the City with a fixed-rate fee schedule for maintenance services prior to the beginning of each fiscal year. These fees are based on historical equipment repair costs incurred by Polk County Fleet Management throughout the previous year.

Prior to the agreement with Polk County Fleet Management, the City operated its own Fleet Maintenance Department. A five year summary of the City's total fleet maintenance costs are outlined below:

Fiscal Year Actual (Pre-County Contract 2004-2009)

Fiscal Year Actual	Salaries	M&R Vehicles	Operating Supplies	M&R Vehicles	Fleet
--------------------	----------	--------------	--------------------	--------------	-------

Operating Budget Total

(Pre-County Contract 04-09)

Vehicles

Refurbishment

5-Year Average 49,778      126,744      153,571      33,928      3808  
 367,829 Fiscal Year Actual (Post- County Contract 2016-2021)

Fiscal Year Actual

(Post- County Contract 16-21)

Salaries	M&R Fleet Contract	Operating Supplies Vehicles/M&R Fleet Non-Contract (budget)	M&R Vehicles Refurbishment	Fleet Operating Budget	Total
----------	--------------------	-------------------------------------------------------------	----------------------------	------------------------	-------

2016/2017	N/A	318029	22300	0	17,083	357,412
2017/2018	N/A	295006	22300	0	21,583	338,889
2018/2019	N/A	300014	22300	0	23,813	346,127
2019/2020	N/A	249641	22300	0	25,827	289,768
2020/2021	N/A	218519	22300	0	20,970	359,961
5-Year Average	N/A	276,242	22,300	0	21,855	318,431

**OTHER OPTIONS**

The City Commission may choose not to enter into this agreement and 1) direct staff to develop a request for proposal for fleet maintenance services or 2) direct staff to assume the responsibility of our own fleet maintenance services.

**FISCAL IMPACT**

The annual maintenance fee for FY 21/22 is \$293,031. This fee is an increase of \$74,511 from FY 20/21.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

- 23. ORDINANCE 2021-21 Amending Chapter 16, Pensions And Retirement – City Of Lake Wales Municipal Firefighter’s Pension Plan And Trust – First Reading

[Begin Agenda Memo]

**SYNOPSIS:** Ordinance 2021-21 seeks to improve the efficiency and overall administration of the Firefighters’ Pension Plan. Based on recommendations from its financial consultant, actuary and attorney.

**RECOMMENDATION**

It is recommended that the City Commission adopt Ordinance 2021-21 as recommended by the Board of Trustees on First Reading.

**BACKGROUND**

Effective July 1, 2019, the Florida Legislature enacted legislation providing various benefits to qualifying full-time and retired firefighters. The new law amends F.S. 112 to provide additional disability and death benefits to eligible firefighters who have been disabled or died as a result of certain forms of cancer. Specifically, the new law creates a presumption of service-connected disability, or pre-retirement death, for eligible firefighters who either perish or are found to be totally and permanently disabled from useful and efficient service as a firefighter, based on at least one of 21 enumerated forms of cancer or circumstances that arise out of the treatment of such cancer. The amendments to Section 16-167, Disability, Subsection (a), and Section 16-168, Preretirement death, of the Code of Ordinances will update the Retirement System's governing code to comply with the recent enactment of Ch. 2019-21, Laws of Florida.

Furthermore, the Financial Consultant is recommending an amendment to Section 16-164, Finances and Fund Management, expanding the Board of Trustees' investment authority to allow for investment in investment grade bonds as well as slightly increasing the maximum pension fund portfolio equity allocation.

Lastly, the amendments to Sec. 16-175 and 16-186, are meant to update the Ordinance to comply with recent changes to the Internal Revenue Code to reconcile with the pension plan's fiscal year and past practice correcting an apparent scrivener's error.

### **FISCAL IMPACT**

According to the Actuary (Foster & Foster) there is no cost to the City to implement the proposed amendments.

[End the Agenda]

James Slaton, City Manager, reviewed this item. Pedro Herrera, Pension Manager, reviewed this item. Deputy Mayor Gibson asked about the investing. Mr. Herrera reviewed the plan's investments.

24. ORDINANCE 2021-22 Amending Chapter 16, Pensions And Retirement – City Of Lake Wales Police Officers' Pension Plan And Trust – First Reading

[Begin Agenda Memo]

**SYNOPSIS:** Ordinance 2021-22 seeks to improve the efficiency and overall administration of the Police Officers' Retirement System. Based on recommendations from its financial consultant, actuary and attorney.

### **RECOMMENDATION**

It is recommended that the City Commission adopt Ordinance 2021-22 as recommended by the Board of Trustees on First Reading.

### **BACKGROUND**

The proposed amendment seeks to improve the efficiency and overall administration of the Police Officers' Retirement System.

Furthermore, the Financial Consultant is recommending an amendment to Section 16-234, Finances and Fund Management, expanding the Board of Trustees' investment authority to allow for investment in investment grade bonds as well as slightly increasing the maximum pension fund portfolio equity allocation.

Lastly, the amendments to Sec. 16-251 and 16-256, are meant to update the Ordinance to comply with recent changes to the Internal Revenue Code to reconcile with the pension plan's fiscal year and past practice correcting an apparent scrivener's error.

**FISCAL IMPACT**

According to the Actuary (Foster & Foster) there is no cost to the City to implement the proposed amendments.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item. Pedro Herrera, Pension Manager, reviewed this item.

25. CITY COMMISSION AND MAYOR COMMENTS

Commissioner Williams said the Steelers football team need a location to practice and asked if something can be done for them. Mr. Slaton said that we will reach out to them.

26. ADJOURN

The meeting was adjourned at 4:34 p.m.

Eugene L. F. [Signature]

Mayor/Deputy Mayor

ATTEST:

\_\_\_\_\_

Jennifer Nanek